

Message Text

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ACTION CA-01

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R 052018Z MAY 78
FM AMEMBASSY SANTO DOMINGO
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INFO AMCONSUL BELIZE
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AMCONSUL CURACAO
AMEMBASSY GUATEMALA
USINT HAVANA
AMCONSUL HAMILTON
AMEMBASSY KINGSTON
AMEMBASSY MANAGUA
AMCONSUL MARTINIQUE
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AMEMBASSY NASSAU
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AMEMBASSY PARAMARIBO
AMEMBASSY PORT AU PRINCE
AMEMBASSY PORT OF SPAIN
AMEMBASSY SAN JOSE
AMEMBASSY SAN SALVADOR
AMEMBASSY TEGUCIGALPA
AMEMBASSY GEORGETOWN

UNCLAS SANTO DOMINGO 2430

E.O. 11652: N/A
TAGS: CGEN
SUBJECT: CARIBBEAN/CENTRAL AMERICAN CONSULAR CONFERENCE

REF STAE 82872

CONSULAR SECTION SANTO DOMINGO SUGGESTS CONFERENCE AGENDA INCLUDE
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FOLLOWING TOPICS:

1. APPLICATION OF SECTION 212(A)(15) TO IMMIGRANT VISA APPLICATIONS
INCLUDING:

A. DEFINITION OF "PUBLIC CHARGE" AND EXAMPLES OF KINDS OF PUBLIC
ASSISTANCE WHICH WOULD OR WOULD NOT BE CONSIDERED EVIDENCE OF

HISTORY OF HAVING BEEN A PUBLIC CHARGE.

B. TREATMENT OF JOB OFFERS SUBMITTED BY APPLICANTS TO DEMONSTRATE PROSPECTS OF FINANCIAL SELF-SUFFICIENCY. WHAT ARE THE CRITERIA FOR JUDGING THE GENUINENESS OF A JOB OFFER. SHOULD PROSPECTIVE EMPLOYER BE ASKED TO PROVIDE EVIDENCE TO SUPPORT HIS OFFER, SUCH AS EMPLOYER'S TAX AND SOCIAL SECURITY RECORDS. AT ISSUE IS THE CREDIBILITY OF JOB OFFERS.

C. VISA OFFICERS AT THIS POST WOULD BE ESPECIALLY INTERESTED IN GUIDANCE TO ENABLE THEM TO RECONCILE ACCOUNTS OF SWOLLEN WELFARE ROLLS IN MAJOR POPULATION CENTERS IN THE US AND THE DEPARTMENT'S URGING OF MORE OPTIMISTIC ASSESSMENTS OF APPLICANTS' PROSPECTS FOR FINANCIAL INDEPENDENCE. THE QUESTION HAS ARISEN AT THIS POST AS TO WHETHER THERE ARE POLITICAL FACTORS THAT A VISA OFFICER SHOULD TAKE INTO ACCOUNT WHEN APPLYING THE PUBLIC CHARGE PROVISION OF 212(A)(15) TO APPLICATIONS.

2. ANOTHER CONCERN AT THIS POST IS THE INCREASINGLY FREQUENT INVOLVEMENT OF ATTORNEYS IN THE IMMIGRANT VISA PROCESS. WE FEEL THAT CA AND CA/VO SHOULD GIVE PRIORITY TO ESTABLISHING RULES OF PROCEDURE FOR VISA LAWYERS AND WOULD LIKE TO HAVE THE IDEA DISCUSSED AT THE CONFERENCE. SUB-TOPICS WOULD INCLUDE (A) RIGHTS AND PRIVILEGES OF IMMIGRATION ATTORNEYS AND THEIR CLIENTS VIS-A-VIS APPLICANTS WHO ARE NOT REPRESENTED BY LAWYERS; (B) DEPARTMENT'S POSITION ON ATTORNEYS ACCOMPANYING APPLICANTS TO IMMIGRANT

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VISA INTERVIEWS AND (C) CURRENT THINKING ON THE ESTABLISHMENT OF A VISA APPEAL PANEL IN WASHINGTON.

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